IN THE HIGH COURT OF JUDICATUE FOR RAJASTHAN

AT JODHPUR

**O R D E R**

D.B.CIVIL WRIT PETITION NO.1955/2006

RASHIDA LOHANI VS R.P.S.C. & ANOTHER

....

DATE OF ORDER :- 18.4.2006

PRESENT

**HON'BLE MR.JUSTICE RAJESH BALIA**

**HON'BLE MR.JUSTICE R.P.VYAS.**

Mr.P.S.Bhati, for the petitioner.

**BY THE COURT (PER HON'BLE BALIA,J):-**

Having heard the learned counsel for the petitioner, we are satisfied that no sufficient material has been placed on record to show that the application alleged to have been submitted through courier was delivered to R.P.S.C before the expiry of the date of receipt of such application by the R.P.S.C. No acknowledgement of receipt of application by R.P.S.C. Is available on record. Even according to the best evidence placed on

record by the petitioner is that courier has put 7 applications in box without taking any acknowledgement from R.P.S.C so much so Manger of Maruit Courier does not even state deliverance of application by putting in box. He simply states package was delivered at R.P.S.C. But to whom and in what manner delivery was effected is not stated by him.

We are unable to draw any presumption of delivery of application to R.P.S.C before dead line set for receiving applications, particularly keeping in view the reply to communication received from petitioner it has specifically stated that application was received by R.P.S.C on 12.1.2006 much after the expiry of last date for receipt of such application 9.1.2006.

No ground is made out for entertaining the writ petition, The writ petition is dismissed.

**(R.P.VYAS)J** **(RAJESH BALIA)J.**

CKThanvi